

A regular meeting of the Board of Selectmen was held on Thursday, February 4, 2010, in the Francis O'Brien Meeting Room, Town Office Building, 26 Bryant Street, Dedham, Massachusetts. Present were:

Michael L. Butler
Sarah MacDonald
James A. MacDonald
Carmen Dellolacono
Paul Reynolds

Mr. Butler called the meeting to order at 7:03 p.m.

OPEN DISCUSSION

Citizens in the audience asked the Board if they could speak relative to Rita Kalcos, former Director, Council on Aging. Mr. Butler informed the public of the procedures relative to any remarks they wish to make on the recent decision by the Town Administrator to fire Rita Kalcos. Mr. Butler commented that the Board will allow the audience to make comments consistent with Open Discussion. Mr. Butler asked that the audience be respectful.

Richard Browne, 33 Fair Oak Road, former chairman/member, Council on Aging, asked permission to speak. Mr. Butler granted permission. Mr. Browne commented that he was not here, this evening, to fight over the loss of Ms. Kalcos' position. Mr. Browne indicated to the public that there was a hearing relative to the Kalcos matter. Mr. Browne stated that Ms. Kalcos rebuts this matter and statements that were made. Mr. Browne asked the Board of Selectmen to allow Ms. Kalcos and opportunity to make a statement to the public in open session. Mr. Browne and other Senior Citizens who were in attendance felt that the punishment of Ms. Kalcos' termination of employment far out-weighed the charges that were brought up against her.

Mr. Butler asked Ms. Kalcos to check with her attorney before she spoke in public open session. Additionally, Mr. Butler asked the Town Administrator to have Town Counsel review/opine this request before statements were made public open session.

John Caruso, East Street, former member, Council on Aging, asked the Board for permission to speak. Mr. Butler granted permission. Mr. Caruso informed Mr. Keegan relative to the word on the street with respect to the Kalcos matter. Additionally, he asked if Mr. Emmett was aware that Rita's son was used to conduct the Seniors Exercise Classes. Mr. Caruso asked who was presently conducting the Exercise Classes for the Seniors. Mr. Keegan informed him that for the time being, arrangements have been made to conduct the classes at Dedham Health and Athletic Club. Mr. Caruso asked why the classes were not placed out to bid. He went on to say that nepotism in this Town runs rampant. Mr. Caruso also asked the Board why the Sign-in Sheets have stopped. Mr. Caruso informed all of his frustrations and commented that he resigned as a member of the Council on Aging because of secret meeting concerns.

For clarification, Mr. Dellolacono informed all that Mr. Caruso approached him last Thursday relative to Kalcos resignation—Mr. Dellolacono went on to say that he answered him to the best of his knowledge at the time.

Lillian Dorothy Leonard, Riverdale resident, asked the Board for permission to speak. Mr. Butler granted permission. Ms. Leonard informed all that she met Rita Kalcos approximately five years ago. She was

concerned with her being fired as COA Director and spoke of her character. It was Ms. Leonard's opinion that Ms. Kalcos has noble character and that Rita could size-up a situation quickly. Ms. Leonard informed all that the council offered many programs. Additionally, Rita assisted her with computer training. Ms. Leonard felt that the Senior Citizens involved with the Dedham COA and its programs were treated with dignity.

Agnes Cassano, COA Programs attendee, asked the Board for permission to speak. Mr. Butler granted permission. Ms. Cassano informed all that she was a participant in the COA Exercise Program—she gave an overview of the class. Ms. Cassano went on to say that she was not aware that the Exercise Instructor was Rita Kalcos' son—she felt those involved must have know of the kinship. Ms. Cassano asked that Ms. Kalcos be given consideration. Ms. Cassano stated that she was very appreciative of the programs offered, through the Town, at Traditions. She thought the Town of Dedham was very lucky to have these programs for its Senior Citizens.

Rose Silvestri, COA Programs attendee, asked the Board for permission to speak. Mr. Butler granted permission. Ms. Silvestri informed all that she has been very happy with the job Rita Kalcos has been doing for many years.

Marion DeMers, COA Programs attendee, asked the Board for permission to speak. Mr. Butler granted permission. Ms. Demers agreed with all that has been said tonight in support of Ms. Kalcos. Ms. DeMers added that Athletic Trainer, Nick, was the best instructor. She went on to say that the instructor was very attentive and gave much attention to the Senior Citizens. Ms. DeMers was concerned with secret meetings and felt that the Senior Citizens were not being given what they deserve.

Ms. DeMers informed all that she has signed up for the Exercise Classes offered at Dedham Health and Athletic Club. Additionally, the Club did not have the weights similar to what she used at the St. Suzanna's class—she thought the Athletic Club classes was not as beneficial as the classes offered through the COA program. Ms. DeMers asked the Board if they would consider hiring another instructor for the St. Suzanna's Seniors Exercise Program.

Russ Poole, Town Meeting Member/COA Member, asked the Board for permission to speak. Mr. Butler granted permission. Mr. Poole commented that other than his line of communication with Selectman Sarah MacDonald, he had concerns relative to openness and communication with the Selectmen. Mr. Poole went on to say that he felt openness and transparency did not extend beyond the Selectmen's Chambers. Mr. Poole commented that citizens of the Town have no control over what the Town Administrator does—he asked the Board and everyone to take a look at the other side. Mr. Poole's opinion was that there was a travesty taking place with respect to the Kalcos matter and that her life was turned up-side-down for no reason.

Richard Browne asked the Board of Selectmen if Rita Kalcos could speak to the Board of Selectmen and public this evening. Mr. Butler commented that this matter was moving through the Town Administrator's Hearing Process and attorneys for the Town and Ms. Kalcos—they are the experts. Mr. Butler added that events like this one are kept confidential unless the parties wish to make them public. Mr. Butler stated that before he will allow Ms. Kalcos to speak, he wanted attorneys for the Town and Ms. Kalcos to be present. William Keegan, Town Administrator, concurred that he cannot make a statement without Town Counsel present. Relative to the Kalcos matter, Mr. Browne informed the Board that he left packages, for the Board's review, in the Town Administrator's Office.

PUBLIC HEARING--KOUZINA, 557 High Street, Request for a Wine & Malt Common Victualler's License

The above-referenced Kouzina Public Hearing was postponed until the Board of Selectmen's next meeting to be held on February 25, 2010.

NSTAR ELECTRIC COMPANY –Pole Hearing, Ames Street

Mr. Dellolacono made a motion to approve replacement of the pole; seconded by Ms. MacDonald.

On the Vote: Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

DISCUSSION RE: RENAMING OF ENTERPRISE DRIVE TO LEGACY BOULEVARD

Representing Legacy Place was: Attorney Peter A. Zahka, 12 School Street, Dedham, MA
Bob Frazier, W.S. Development, was unable to attend due to illness.

The purpose of the request is to rename Enterprise Drive/Commercial Circle into the main entrance road into Legacy Place, i.e., Legacy Boulevard. Attorney Zahka noted that no side streets would be impacted by the name change and it would be beneficial to the entire area. He went on to say that the traffic developed will all share Legacy Boulevard.

Attorney Zahka informed the Board that the name change has gone through the E911 Unit process. Additionally, the E911 Unit is satisfied with the name. Attorney Zahka informed the Board that Mr. Frazier communicated with all of the abutters—all but one abutter is on board with the name change. Attorney Zahka informed all that there needs to be a Public Hearing to change the name.

Mr. MacDonald had some concerns; however, he was agreeable to the name change as long as the E911 Unit was satisfied. Mr. MacDonald stated that if there were confusion/problems with E911 and the name change in six months or sometime in the future, he would like the option to overturn this action.

Mr. Dellolacono had concerns relative to the temporary street stripping fading. Mr. Dellolacono felt that the stripping should remain in place for more than a year. He added that this question might come up at the Street Public Hearing and asked Attorney Zahka to have an answer to this issue.

Ms. MacDonald made a motion to have a Re-naming of Enterprise Drive Public Hearing; seconded by Mr. MacDonald. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

APPOINTMENT OF VACANCY TO DEDHAM-WESTWOOD WATER DISTRICT

Applicants: Michael Powers and Rob Blume

Michael Powers informed the Board that he resides on Walnut Street in Dedham, Massachusetts. Additionally, he has been a Commissioner for Dedham-Westwood Water District for the past four years, serving as Civil Engineer. Mr. Powers went on to say that he has worked on water projects throughout the state and the world and brings much engineering knowledge to the Commission. Mr. Powers stated that he wishes to continue to serve as a Commissioner for the Dedham-Westwood Water District.

Rob Blume informed the Board that he resides on Mt. Vernon Street, Dedham, Massachusetts. Additionally, he is a life-long resident of Dedham along with his wife and children. Mr. Bloom went on to say that he would like to give back to the community. Mr. Bloom informed all that he is in the construction field. Presently, he is a Civil Engineer for Walsh Construction Company. He has worked for this company for 15 ½ years and was in charge/supervised projects in the range of 5 million to 60 million dollars. Mr. Bloom felt that his extensive knowledge and experience would be a useful addition to the Dedham-Westwood Water District.

Mr. MacDonald place both names (Michael Powers and Rob Bloom) in nomination for the appointment; seconded by Ms. MacDonald.

****On the advice of Town Counsel, Mr. Dellolacono recused himself from this agenda item. Mr. Dellolacono informed all that his brother was an employee of the Dedham-Westwood Water Company.**

On the Nomination Vote: Mr. Reynolds, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

Mr. Dellolacono did not vote on this matter.

On the Appointment Vote: Mr. Reynolds, Mr. MacDonald and Ms. MacDonald voted for Rob Bloom. Mr. Butler voted for Michael Powers.

Rob Bloom was approved/appointed Dedham-Westwood Water District Commissioner.

DISCUSSION & VOTE RE: PAVEMENT MANAGEMENT PLAN, INCLUDING IMPROVEMENTS TO THE TOWN HALL PARKING LOT

Present for the discussion were: Joe Flanagan, DPW Director and David Field, Director of Engineering

Mr. Field gave an overview of the plan. Additionally, he informed the Board that the Town Hall Parking Lot was a conceptual plan. Mr. Butler requested that the Town Hall Plan be taken up at another meeting so that the Board of Selectmen could review the plan thoroughly. Ms. MacDonald asked Mr. Field if the conceptual Town Hall Parking Lot Plan would change the traffic flow. Mr. Field commented that the conceptual plan is a reverse of the present plan. Ms. MacDonald asked how Mr. Field could make it more clear. Mr. Field informed her that "Do Not Enter Signs" would be constructed in the lot/street along with other signage. William Keegan, Town Administrator, added that there have been some close calls coming out of the Town Hall Parking Lot-- employees have expressed concerns.

Mr. Dellolacono asked the cost of the project. Mr. Field replied--\$20,000 for changes to Parking Lot and \$80,000-\$100,000 range for improvements to the roadway.

Mr. MacDonald made a motion to adopt the Pavement Management Plan as submitted to the Board of Selectmen by Joe Flanagan, DPW Director and David Field, Director of Engineering; seconded by Ms. MacDonald. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

DISCUSSION & VOTE RE: LEGACY PLACE DEED OF LOT 77 TO TOWN OF DEDHAM

The Board of Selectmen postponed discussion & vote of the above-referenced agenda item to a future meeting date.

DISCUSSION & VOTE RE: GRANT OF A LICENSE FOR RETAINING WALL & FENCE AT 221 MILTON STREET

Nancy Baker, Town Administrator, informed the Board that the document presented was drafted through Town Counsel. The Board of Selectmen asked Mr. Keegan, Town Administrator, if this action was an appropriate use for a license. Mr. Keegan stated, "yes". Mr. Keegan brought to the Board's attention the license they granted to the Needham Bank a few years back.

Ms. MacDonald made a motion to direct the Town Administrator to proceed with drafting a license relative to a retaining wall and fence at 221 Milton Street: seconded by Mr. Dellolacono. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

PRESENTATION BY GIRL SCOUT TROOP #74596 RE: POWDER HOUSE ROCK PROJECT

Presentation given by the following Girl Scouts: Kristen, Laura, Katelyn and Kelsey.

The Girl Scouts presented the outcome of their efforts relative to the Silver Award Project. They each took a part in the presentation—gave an overview on how the project looked before they began and what they did to improve Powder House Rock.

The Board of Selectmen thanked the girls for their diligent work on this excellent project. They went on to say that the girls have done their troop, parents and Town proud by taking a project no one wanted to do and did not give up until it was finished.

William Keegan, Town Administrator, also thanked the Girl Scouts for the great job they did on the Powder House Rock Project. Mr. Keegan also thanked the Town Departments that assisted the girls with the project.

DISCUSSION & VOTE ON BOARD OF SELECTMEN'S POLICY DIRECTIVES #11-#15

Before the votes were taken, Ms. MacDonald gave all an overview of the Policy Directives.

Mr. MacDonald made a motion to affirm Policy Directive #11; seconded by Mr. Reynolds and voted unanimously.

Mr. MacDonald made a motion to affirm Policy Directive #12; seconded by Mr. Reynolds and voted unanimously.

Mr. MacDonald made a motion to affirm Policy Directive #13; seconded by Mr. Reynolds and voted unanimously.

Mr. MacDonald made a motion to affirm Policy Directive #14; seconded by Mr. Reynolds and voted unanimously.

Mr. MacDonald made a motion to affirm Policy Directive #15; seconded by Mr. Reynolds and voted unanimously.

DISCUSSION & VOTE—HEARING TO REVOKE CLASS II LICENSE ISSUED TO HANNA AUTO SALES, 84 CURVE STREET.

Nancy Baker, Asst. Town Administrator, informed the Board that the Building Department has recently revoked the Home Occupation Permit to conduct business at 84 Curve Street.

Mr. MacDonald made a motion to call a hearing to revoke the Class II License issued to Hanna Auto Sales, 84 Curve Street; seconded by Mr. Reynolds. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

REQUEST TO RE-NUMBER BUILDINGS AT NEWBRIDGE ON THE CHARLES

Mr. MacDonald made a motion to approve the re-numbering of buildings at Newbridge on the Charles; seconded by Mr. Dellolacono. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

TOWN ADMINISTRATOR'S REPORT

Mr. Keegan discussed the following:

--Continues to work on the Fiscal 2011 Budget—the Budget Presentation is set for February 25, 2010.

--Capital Plans were submitted as of Friday and have been assembled--will include recommendations of the Mitigation Committee for review with Capital Expenditures Committee.

--Overview of a meeting with Managers/Town Administrators of the Neponset Valley Region relative to discussion of funding option for the I-95/I93 Interchange.

--Officially launched efforts to assist the Haitian Community with respect to building their country. Established a Donation Account at the Needham Bank--plans will be released shortly for donations of non-perishable goods and clothing.

--Informed all that the Town of Dedham was presented with the Kenneth E. Pickard Memorial Innovation Award at the MMA Annual Meeting.

--Advised Board that the small barrels will be in shortly and will be distributed at the end of this month. Ms. MacDonald added that the Board will be given an update on barrel requests.

ACTION BY THE BOARD

Request for Drainlayer's License from HPS Contracting & Excavating, Inc. -- Mr. MacDonald made a motion to approve a Drainlayer's License to HPS Contracting & Excavating, Inc.; seconded by Mr. Dellolacono and voted unanimously.

Request for a One-Day Liquor License from the Dedham Community House (March 5, 2010) Mr. Dellolacono made a motion to approve a One-Day Liquor License to the Dedham Community House—Deliveries on March 4 & 5, 2010, Pickup on March 8, 2010, and Service Only on March 5, 2010; seconded by Mr. MacDonald and voted unanimously.

Request for a One-Day Liquor License from the Dedham Choral Society (February 13, 2010) Mr. MacDonald made a motion to hear an item not listed on this evening's agenda; seconded by Ms. MacDonald and voted unanimously. Ms. MacDonald made a motion to approve a One-Day Liquor License to the Dedham Choral Society pending TIPS Certification—Deliveries on February 12, 2010, Pickup on February 15, 2010, and Service Only on February 13, 2010; seconded Mr. MacDonald and voted unanimously.

Request from the Planning Board for Appropriation from Subscriber Revenues for Audio/Visual and Computer Equipment for the Town Hall Lower Conference Room

Mr. MacDonald made a motion to approve a 1% revenue appropriation in the amount of \$30,000 for the purchase of audio/visual and computer equipment for the Town Hall Lower Conference Room; Ms. MacDonald seconded the motion for discussion. Ms. MacDonald asked Mr. Keegan and Ms. Baker what is being processed. Mr. Keegan and Ms. Baker commented—screens, hardware and software, etc.

On the Vote: The Board voted to unanimously approve the request.

Approval of Selectmen's Meeting Minutes – October 20, 2010 and October 22, 2010

Mr. MacDonald made a motion to approve meeting minutes of the Selectmen's Meetings held on October 20, 2010 and October 22, 2010; seconded by Mr. Dellolacono and voted unanimously.

OLD/NEW BUSINESS

Vote-- CM at risk Contract on behalf of the Town of Dedham as it relates to the Avery School Construction Project—Mr. MacDonald made a motion to authorize William G. Keegan, Jr., Town Administrator and Chief Procurement Officer for the Town of Dedham, to execute the CM at risk Contract on behalf of the Town of Dedham as it relates to the Avery School Construction Project; seconded by Ms. MacDonald. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

Vote—Appointment of School Building Rehabilitation Committee as the authority to supervise the owner's Project Manager—Mr. MacDonald made a motion to appoint the School Building Rehabilitation Committee as the authority to supervise the owner's Project Manager as it relates to the Avery School Construction Project.; seconded by Ms. MacDonald. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

Streetscape Project—Mr. Reynolds informed all that the meeting recently held relative to the Streetscape Project was terrific. He went on to say that many people attended and there was a healthy discussion with the audience and engineers. Mr. Reynolds commented that the project is moving along and reflects the needs of the community. On another subject, Mr. Reynolds informed all that the new clock at Dedham Square Crossing is a source of pride.

Mr. Reynolds had concerns with the Town's e-mails. He commented that if anyone recently sent e-mails to the Selectmen at the end of December or beginning of January, they did not receive them because their e-mail addresses were down and the Selectmen did not get messages. Mr. Reynolds asked those individuals to resend the e-mails.

Mr. MacDonald informed all that the Mitigation Committee has finished up their work for this year—he complimented Cheryl Ann for a terrific meeting. He went on to say that recommendations were sent to the Town Administrator and that the Mitigation Committee recommended not to spend all of the money.

Mr. MacDonald brought up the status of Ricks Pub in East Dedham and the fact that this establishment has not re-open for this year. Ms. Baker informed all that they are negotiating a transfer; and at some point, an applicant will be before this Board for a hearing relative to a change in license and new location.

Ms. MacDonald informed all that on February 23, 2010, the Board of Selectmen will be hosting a Town Hall to Small Business Meeting at the (former Christian Science Church Bldg.) on High Street. Dr. Sawan will be hosting the meeting. Ms. MacDonald commented that the Dedham Assessors and NSTAR will be giving presentations. Additionally, there will be time for Q & A. Ms. MacDonald informed all that invitations will be going out tomorrow or early next week.

Clear Channel Billboard, 695 Blue Hill Drive/Route 128 in Dedham—Mr. Butler mentioned a packed he received relative to the billboard. Mr. Keegan expressed his disagreement that they are back again. Mr. Butler went on to say that there was not much information provided.

Mr. Dellolacono made a motion to instruct the Town Administrator send a letter to Mass Highway relative to the Clear Channel Billboards; seconded by Ms. MacDonald and voted unanimously.

Mr. Dellolacono asked that Representative McMurtry and Senator Walsh be informed. Ms. MacDonald asked that the Town of Westwood be notified.

Mr. Butler informed all of an incident that happened last week at Norwood High School involving the Hockey Team. Team Member, Matt Brown, was paralyzed and Team Member, Chris O'Brien received a concussion. Mr. Butler ask the Town of Dedham to reach out to the Norwood community and possibly donate a check help in the athletes recovery through the Norwood High School Athletic Director's Office.

Mr. Dellolacono wished his daughter, Sarah, a Happy Birthday. He reminded all of the Pop Warner Comedy Night at Moseley's on the Charles on April 2, 2010. Mr. Dellolacono asked that a letter be sent to the owners of Bussey Street Market asking them to clean up the graffiti on the property—he noted that this street is an entrance into the Town of Dedham. Mr. Dellolacono thanked the following gentlemen for their service over the years on the Dedham High School Football Team—Peter Morse, Chris Polito and Mike Henaberry. Mr. Dellolacono informed all that these gentlemen were recently let go from the Football Program—they will be missed and each one did a fantastic job.

Mr. MacDonald made a motion to enter into Executive Session pursuant to Chapter 39, Section 23B, for the purpose of strategy for Collective Bargaining; seconded by Ms. MacDonald. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

The Board did not reconvene in Open Session. The Meeting adjourned at 9:10 p.m.

This is to certify that the above is a true and accurate record of the Minutes of the Selectmen's Meeting held on February 4, 2010, which Minutes were approved on April 13, 2010.

Michael L. Butler, Chairman